

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 18 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 22 2003 under 70317

The applicant **Matthew N. Eiting and Shirle T. Eiting** hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Claim 139 of the Truckee River Decree**, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "**The United States of America, Plaintiff vs. Orr Water Ditch Company, et al., Defendants**", in Equity Docket A-3

1. The source of water is **the Truckee River**
2. The amount of water to be changed **Claim 139, 0.64 acre-feet along with a pro-rata share of the diversion rate.**
3. The water to be used for as **Decreed**
4. The water heretofore permitted for as **Decreed**
5. The water is to be diverted at the following point **The NE¼ of the SW¼ of Section 17, T19N, R19E, MDB&M, or at a point from which the Northwest corner of Section 20, T19N, R19E, MDB&M bears South 44° 40' West a distance of 3,211 feet. Orr Ditch and extensions per Orr Ditch Decree as shown on the map supporting Permit No. 67182.**
6. The existing permitted point of diversion is located within **The SW¼ of the SE¼ of Section 9, T19N, R18E, MDB&M, or at a point from which the Northwest corner of Section 15, T19N, R18E, MDB&M bears South 75° 16' East a distance of 1,650 feet. Highland Ditch per Orr Ditch Decree as shown on the map supporting Permit No. 67182.**
7. Proposed place of use **Claim 337/338 – 1 acre in the SE¼ SE¼ and the SW¼ SE¼ in Section 27, T20N, R20E, MDB&M parcel numbers: 035-310-45 and 035-310-17.**
8. Existing place of use **Claim 139 – 0.17 acres in the NE¼ NE¼, in Section 2, T19N, R19E, MDB&M Map TR-098 parcel number: 007-040-02.**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Through existing Ditch and laterals to place of use.**
12. Estimated cost of works **Completed under Truckee River Decree.**
13. Estimated time required to construct works **Completed per Truckee River Decree.**
14. Estimated time required to complete the application of water to beneficial use **Four years.**

15. Remarks:

By s/Mary C. June
Mary C. June
500 Damonte Ranch Pkwy.
Reno, NV 89521

Compared sg/ sam lt/ gkl

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 139, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 0.16 acres within the described place of use and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources. The period of use is as decreed.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.002 cubic feet per second, but not to exceed 0.64 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

June 15, 2010

Proof of the application of water to beneficial use shall be filed on or before:

July 15, 2010

Map in support of proof of beneficial use shall be filed on or before:

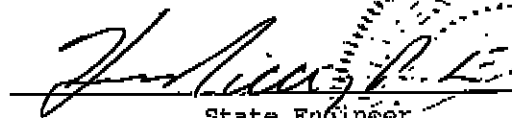
July 15, 2010

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15th day of June A.D. 2005


State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____

Issued _____

